

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 02-29 Total Pages 53

First Named Inventor or Application Identifier

YURKO et al.

Title METHOD AND SYSTEM FOR TRACKING AND MONITORING PATIENT COMPLIANCE WITH MEDICAL DEVICE USAGE PRESCRIPTION

Express Mail Label No. EV 196251487 US

0:10/645114 U.S. PRO
0:945 U.S. PRO
08/21/03

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. Specification [Total Pages 35]
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 U.S.C. § 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Boxes 19 and 20 completed)
[Note Box 5 below]
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting
inventor(s) named in the prior application,
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
 - c. Unsigned
5. Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from
which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the
disclosure of the accompanying application and is
hereby incorporated by reference therein.
6. Application Data Sheet per 37 C.F.R. § 1.76
[Total Pages 3]

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. DOMESTIC/INTERNATIONAL priority is claimed under 35 U.S.C. § 119(e)/120/365(c)
based on the following provisional, nonprovisional, and/or PCT international applications:

	Application No.	Filing Date
(1)	60/406,247	August 27, 2002
(2)		

8. Prior application is assigned to RIC Investments, Inc. by
Assignment recorded January 17, 2003 Reel 013662 Frame(s)
0237.

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
(Please return recorded assignment to the undersigned)
10. 37 C.F.R. § 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment (to be entered before calculating fees)
14. Return Receipt Postcard
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Certificate of Mailing by Express Mail
17. Non-publication Request and Cert. under 35 U.S.C.
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. Other: _____

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No. _____

Prior application Information: Examiner: _____ Group/ArtUnit: _____

20. Please amend the specification by inserting before the first line the sentence: This is a Continuation Divisional
 Continuation-in-part (CIP) of prior application No. _____

21. CORRESPONDENCE ADDRESS



30031

PATENT TRADEMARK OFFICE

Customer No. and Bar Code Label.

Name	Michael W. Haas	Reg. No.	35,174
Signature		Date	August 21, 2003

01576 U.S.
08/21/03

FEE TRANSMITTAL

(Effective 01/01/2003)

"Express Mail" Label No. EV 196251487 US

TOTAL AMOUNT OF PAYMENT \$ 1,998.00

Application Number	Not Yet Assigned
Filing Date	August 21, 2003
First Named Inventor	YURKO et al.
Confirmation Number	Unknown
Group Art Unit	Unknown
Examiner's Name	Unknown
Attorney Docket No.	02-29

METHOD OF PAYMENT				FEE CALCULATION (continued)					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 50-0558 Deposit Account Name Respirronics, Inc.				3. ADDITIONAL FEES Large Fee Code Entity Fee (\$) Small Fee Code Entity Fee (\$) Fee Description Fee Paid 1051 130 2051 65 Surcharge - late filing fee or declaration 1052 50 2052 25 Surcharge - late provisional filing fee or or cover sheet 1811 100 1811 100 Certificate of Correction 1812 2,520 1812 2,520 For filing a request for reexamination 576 25 576 25 Additional filing receipt, duplicate or corrected due to applicant error 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action 1251 110 2251 55 Extension for response within first month 1252 410 2252 205 Extension for response within second month 1253 930 2253 465 Extension for response within third month 1254 1,450 2254 725 Extension for response within fourth month 1255 1,970 2255 985 Extension for response within fifth month 1401 320 2401 160 Notice of Appeal 1402 320 2402 160 Filing a brief in support of an appeal 1403 280 2403 140 Request for oral hearing 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive unavoidably abandoned application 1453 1,300 2453 650 Petition to revive unintentionally abandoned application 1501 1,300 2501 650 Utility issue fee (or reissue) 1502 470 2502 235 Design issue fee 1814 110 2814 55 Statutory Disclaimer 1460 130 1460 130 Petitions to the Commissioner 1807 50 1807 50 Petitions related to provisional applications 1806 180 1806 180 Submission of Information Disclosure Stmt 8021 40 8021 40 Recording each patent assignment per property (times number of property) 1809 750 2809 375 Filing a submission after final rejection (37 C.F.R. § 1.129(a)) 1801 750 2801 375 Request for Continued Examination Other Fee (specify) _____					
2. Payment Enclosed: Check (Check No. 1160)				SUBTOTAL (1) \$ 750.00					
FEE CALCULATION (fees effective 10/01/00) 1. FILING FEE Large Entity Fee (\$) Small Entity Fee (\$) Fee Description Fee Paid 1001 750 2001 375 Utility filing fee 750.00 1002 330 2002 165 Design filing fee 1003 520 2003 260 Plant filing fee 1004 750 2004 375 Reissue filing fee 1005 160 2005 80 Provisional filing fee				SUBTOTAL (2) \$ 1,248.00					
2. CLAIMS Extra Claims Fee from Below Fee Paid Total Claims 66 - 20 * 46 x 18 = 828.00 Ind. Claims 8 - 3 * 5 x 84 = 420.00 Multiple Dependent Claims add 280 = 0.00				SUBTOTAL (3) \$ 0.00					
* Enter Highest Number Previous Paid For Large Entity Fee (\$) Small Entity Fee (\$) Fee Description 1202 18 2202 9 Claims in excess of 20 1201 84 2201 42 Independent claims in excess of 3 1203 280 2203 140 Multiple dependent claim 1204 84 2204 42 Reissue independent claims over original patent 1205 18 2205 9 Reissue claims in excess of 20 and over original patent									

SUBMITTED BY					
Typed or Printed Name	Michael W. Haas			Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	August 21, 2003	Deposit Account Number	50-0558

NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)	First Named Inventor	YURKO et al.
	Title	Method and System for Tracking and Monitoring Patient Compliance With Medical Device Usage Prescription
	Atty Docket Number 02-29	
	Express Mail Label No.: EV 196251487 US	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. §122(b).

8/21/03

Date

Signature

724-387-5026

Telephone number

Michael W. Haas (Reg. No. 35,174)

Typed or printed name

This request must be signed in compliance with 37 CFR §1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. § 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. § 122(b)(2)(B)(iii)).**

Certificate of Mailing by “Express Mail”

EV 196251487 US

“Express Mail” label number

August 21, 2003

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service on the date indicated above and is addressed to:

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Michael W. Haas

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